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*Counsel for Plaintiffs and the Putative Classes*

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

JEFFREY MOLNAR, WESLEY  
THORNTON, AILEEN MARTINEZ,  
CHIQUITA BELL, TEYIA BOLDEN, and  
ANTOINETTE STANSBERRY  
individually and on behalf of all others  
similarly situated,

*Plaintiffs,*

v.

NCO FINANCIAL SYSTEMS, INC., a  
Pennsylvania Corporation,

*Defendant.*

Case No. 3:13-cv-00131-BAS-JLB

**JOINT MOTION REQUESTING A  
STAY PENDING RESOLUTION OF  
SETTLEMENT NEGOTIATIONS**

**Judge:** Hon. Cynthia A. Bashant  
**Magistrate:** Hon. Jill L. Burkhardt

**NO ORAL ARGUMENT UNLESS  
REQUESTED BY THE COURT**

Plaintiffs Wesley Thornton, Aileen Martinez, Chiquita Bell, Teyia Bolden, and Antoinette Stansberry (collectively “Plaintiffs”), jointly with Defendant NCO Financial Systems, Inc., (collectively “the Parties”) by and through their undersigned counsel, respectfully request that the Court enter an order staying this matter pending completion

1 of the Parties' settlement efforts. In support of the instant motion, the Parties state as  
2 follows:

3 1. On June 17, 2015, the Parties participated in a mandatory settlement  
4 conference before Magistrate Judge Burkhardt in an effort to discuss their respective  
5 views of the potential resolution of this action.

6 2. During the mandatory settlement conference, and with the assistance of  
7 Magistrate Judge Burkhardt, the Parties were able to make progress in their discussions  
8 regarding the structure and nature of a potential settlement.

9 3. Following the settlement, the Parties agreed to and held a full-day, private  
10 mediation before the Hon. Morton Denlow (ret.) at JAMS's Chicago, Illinois office on  
11 August 24, 2015.

12 4. During that mediation, the Parties made substantial progress in negotiating  
13 a settlement. While the Parties were unable to reach an agreement regarding the  
14 material terms of an agreement, they have continued to build upon the progress made in  
15 the mediation through subsequent negotiations.

16 5. At this time, the Parties are engaged in ongoing settlement discussions.  
17 The Parties state that they will know one way or the other whether they will be able to  
18 reach a settlement of this matter within the two (2) weeks.

19 6. In light of the foregoing, the Parties have conferred and agreed that they  
20 would benefit from being able to focus their time and attention on attempting to resolve  
21 this action, while maintaining the *status quo* regarding the pending class certification  
22 and summary judgment motions. (See ECF Nos. 133, 134, 152.)

23 7. In light of the foregoing, the Parties have agreed to request a final two (2)  
24 week stay of the case until completion of their settlement efforts (either in the form of a  
25 settlement in principle, or a cessation of settlement discussions).

26 8. The Parties further propose that at the end of the proposed stay (i.e.,  
27 October 30, 2015), they submit a joint report to the Court on the status of their  
28 settlement discussions.

9. This stay is not sought for purposes of undue delay, and the Parties will not seek any further extensions or stays of the currently scheduled pre-trial deadlines, unless a settlement is reached. Accordingly, and given the brevity of the proposed stay, the Parties do not request an extension of the currently scheduled pre-trial deadlines.

WHEREFORE, based on the foregoing, IT IS HEREBY STIPULATED AND AGREED, by and through the undersigned counsel, that Plaintiffs, jointly with Defendant NCO Financial Systems, Inc., respectfully request that the Court enter an Order (i) staying this case for two (2) weeks pending completion of the Parties' ongoing settlement efforts, and (ii) requiring that they file a report on the status of their settlement discussions no later than October 30, 2015.

Respectfully Submitted,

**WESLEY THORNTON, AILEEN  
MARTINEZ, CHIQUITA BELL, TEYIA  
BOLDEN, and ANTOINETTE  
STANSBERRY,**

Dated: October 16, 2015

By: s/ J. Dominick Larry  
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Dated: October 16, 2015

By: s/ James K. Schultz  
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**SESSIONS FISHMAN, NATHAN & ISRAEL, L.L.C.**  
*Attorney for Defendant*

**SIGNATURE CERTIFICATION**

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual, I hereby certify that the content of this document is acceptable to James Schultz, counsel for Defendant, and that I have obtained his approval for his electronic signature to this document.

Dated: October 16, 2015

By: s/ J. Dominick Larry